

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

JUL 13 2023

KHS

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID KING,

Defendant.

CRIMINAL NO. 23 CR 1068 MLG

Count 1: 21 U.S.C. §§ 841(a)(1) and

(b)(1)(A): Possession with Intent to

Distribute 50 Grams and More of

Methamphetamine;

Count 2: 21 U.S.C. §§ 841(a)(1) and

(b)(1)(B): Possession with Intent to

Distribute 40 Grams and More of

Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-

4-piperidiny] propanamide);

Count 3: 21 U.S.C. §§ 841(a)(1) and

(b)(1)(C): Possession with Intent to

Distribute Heroin;

Count 4: 18 U.S.C. § 924(c)(1)(A)(i):

Possession of a Firearm in Furtherance of

a Drug Trafficking Crime.

INDICTMENT

The Grand Jury charges:

Count 1

On or about September 7, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **DAVID KING**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 50 grams and more of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

Count 2

On or about September 7, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **DAVID KING**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 40 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Count 3

On or about September 7, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **DAVID KING**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 4

On or about September 7, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **DAVID KING**, knowingly possessed a firearm in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute methamphetamine, fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), and heroin as charged in Counts 1, 2 and 3 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATIONS

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **DAVID**

KING, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

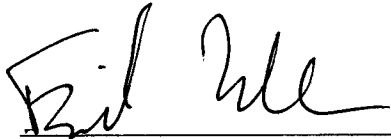
- a. one Glock .40 caliber semi-automatic handgun bearing serial number BPUH599 with an ammunition magazine;
- b. approximately ten .40 caliber ammunition cartridges;
- c. one Kimber 9mm semi-automatic handgun bearing serial number PB0109070 with an ammunition magazine;
- d. approximately six 9mm ammunition cartridges;
- e. approximately 38 .38 Special ammunition cartridges;
- f. approximately two .40 caliber ammunition cartridges; and
- g. approximately \$37,009 in United States currency.

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendant, **DAVID KING**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense(s), including, but not limited to:

- a. one Glock .40 caliber semi-automatic handgun bearing serial number BPUH599 with an ammunition magazine;

- b. approximately ten .40 caliber ammunition cartridges;
- c. one Kimber 9mm semi-automatic handgun bearing serial number PB0109070 with an ammunition magazine;
- d. approximately six 9mm ammunition cartridges;
- e. approximately 38 .38 Special ammunition cartridges; and
- f. approximately two .40 caliber ammunition cartridges.

A TRUE BILL:



Assistant United States Attorney

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FOREPERSON OF THE GRAND JURY